

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et., al.

Defendants

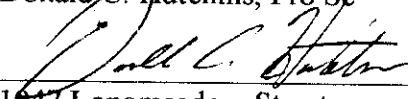
Civil Action: **04-30126-MAP**

**DEFENDANT IN COUNTERCLAIM, DONALD C. HUTCHINS' AMENDED
NOTICE OF REMOVAL PURSUANT TO
FED. R. CIV. 11 and TITLE 28, PART IV, ¶ 1446 (a), LOCAL RULE 81.1,**

The Defendant in Counterclaim, Donald C. Hutchins respectfully requests that this Honorable Court grant a Notice of Removal in Civil Action No. 05 1115, Superior Court, Hampden County, Commonwealth of Massachusetts, in which the Compliant Corporation is the Plaintiff and Donald C. Hutchins is the Defendant. In support thereof and in accordance with Title 28, Part IV, ¶ 1446, 1447 and 1448, the Defendant in Counterclaim submits the attached Memorandum containing a short and plain statement on the grounds for removal together with a copy of the process served on Hutchins.

During a Hearing of January 4, 2006 the Court agreed to construe the "Motion for Removal" previously filed by Hutchins as a "Notice of Removal." Therefore this Amended Notice of Removal meets all the requirements of U.S. Civ. Code §1446 (b).

The Defendant in Counterclaim
Donald C. Hutchins, Pro Se


1647 Longmeadow Street
Longmeadow, Massachusetts 01106
(413) 567-0606

Dated: January 4, 2006

CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate parties by sending a copy by United States mail to: Randall T. Skaar, Esq. Patterson, Thunte, Skaar & Christensen, P.A., 4800 IDS Center, 80 South 8th St. Minneapolis, Minnesota; 55402, Paul H. Rothschild, Esq. Bacon & Wilson, P.C., 33 State St., Springfield, MA 01103; John J. Egan Esq., Egan, Flanagan and Cohen, P.C., 67 Market St., Springfield, MA 01102-9035

Dated: 1/4/06


Donald C. Hutchins